

CITY OF TORRANCE, CALIFORNIA

NOTICE INVITING BIDS

Notice is hereby given that sealed bids for performing the following described work will be received at the Office of the City Clerk of the City of Torrance, California, **until 3:00 p.m. on Wednesday, October 28, 2015**, after which time they will be publicly opened and read at 3:15 p.m. in the Council Chambers of said City:

**CONSTRUCTION OF
SIDEWALK REPAIR FOR HANDICAP ACCESSIBILITY, I-135
(CDBG #601647-14)
B2015-26**

Specifications are available on the City's website at <http://www.torranceca.gov/29017.htm>

Those who only view and/or print the Specifications from the City's website will not automatically be added to the City's Plan Holder list for this project.

The official Bidder's Submittal packet must be obtained from the Office of the City Clerk, City Hall, 3031 Torrance Boulevard, Torrance, California. Contact the City Clerk's office at (310) 781-7530 or CityClerk@TorranceCA.gov for more information. There is no cost if the Bidder's Submittal is obtained at City Hall. A payment of \$5 is required if requested by mail. The amount includes tax and is not refundable. A prospective bidder must provide to the City Clerk the firm's name, address, telephone and fax numbers, a contact person and a valid email address. This will ensure that your firm is listed as a "Plan Holder" and that you will be informed of any and all information issued subsequent to obtaining the official form of Proposal. Addenda will be issued only by email and only to those that provide the required information to the City Clerk. Receipt of any Addendum must be acknowledged by a bidder in its submitted form of Proposal. **If a bidder submits its Bidder's Submittal on forms other than the official Bidder's Submittal forms, the City may declare the bid as non-responsive.**

A bound Specifications booklet may also be obtained at the same Office of the City Clerk, upon payment of \$15 if obtained at City Hall, or payment of \$20 if requested by mail. Both amounts include tax. Neither amount is refundable. The \$15 or \$20 includes a copy of the official Bidder's Submittal packet. If requesting any item(s) by mail, please send check to the following:

**CITY OF TORRANCE
OFFICE OF THE CITY CLERK
3031 TORRANCE BLVD
TORRANCE, CA 90509
ATTN: B2015-26**

The Engineer's estimate for work in Bid Schedule A is between \$850,000 and \$920,000. The Engineer's estimate for work in Bid Schedule B is between \$540,000 and \$625,000. The Engineer's estimate for work in Bid Schedule C is between \$150,000 and \$170,000. All work shall be completed within 110 working days from the date of the Notice to Proceed (NTP).

Per Division 2, Chapter 2 of the Torrance Municipal Code, the Torrance City Council may reject any and all bids, waive any informality or irregularity in such bids, and determine the lowest responsible bidder. No facsimile bids shall be accepted by the City.

Substitution of securities for withheld funds is permitted per Section 22300 of the Public Contract Code.

The City has determined that a Class **A** or **C8** Contractor's license is necessary to bid this project, but reserves the right to accept another Class at the sole discretion of either the Public Works Director or City Engineer.

This project is subject to the "Buy America" provisions of the Surface Transportation Assistance Act of 1982 as amended by the Intermodal Surface Transportation Efficiency Act of 1991.

THIS PROJECT IS UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND FEDERAL TRANSPORTATION ADMINISTRATION (FTA) FUNDS AND IS SUBJECT TO ALL FEDERAL RULES AND REGULATIONS INCLUDED IN THESE CONTRACT DOCUMENTS.

This is a Federally-assisted construction contract. Federal Labor Standards Provisions outlined in the enclosed HUD-1040 form, including the prevailing wage requirements of the Davis-Bacon and Related Acts (DBRA) will be enforced. The Contractor's duty to pay State prevailing wages can be found under Labor Code Section 1770 et seq. and Labor Code Sections 1775 and 1777.7 outline the penalties for failure to pay prevailing wages and employ apprentices including forfeitures and debarment. The "current Federal Wage Decision" is the one in effect 10-days prior to the bid opening and can be found on-line at <http://www.wdol.gov>. In the event of a conflict between Federal and State prevailing wage rates, the higher of the two will prevail. Please note that the federal wage decision is referenced in Section G, and may be updated via an addendum to the bid package prior to bid opening.

Pursuant to Section 1770 et seq. of the California Labor Code, the minimum prevailing rate of per diem wages for each craft, classification, or type of workman needed to execute the Contract shall be those determined by the Director of Industrial Relations of the State of California ("DIR"). These wages are set forth in the General Prevailing Wage Rates for this project, available from the California Department of Industrial Relations' Internet web site at <http://www.dir.ca.gov/DLSR/PWD>.

The Contractor is directed to the provisions in Sections 1777.5, 1777.6 and 1777.7 of the California Labor Code and Title 8, California Administrative Code, Section 200 et seq. to ensure compliance and complete understanding of the law concerning the employment of apprentices by the contractor or any subcontractor under them.

Certified payrolls shall be submitted weekly by the contractor hired for this project.

This is a HUD Section 3 covered construction contract. The City will conduct a **mandatory** Section 3 Pre-Bid Meeting at **10:30 a.m. on Wednesday, October 14, 2015**, at the Torrance City Yard Training Room located at 20500 Madrona Avenue, Torrance, CA 90503 to explain the Section 3 bid preference and hiring goals.

A responsive bid and preference order for responsive bids will be determined based on submittal of the items below. To receive consideration for the Section 3 bid preference, a bidder must submit completed and signed forms with its bid proposal.

First Bid Preference

- 1A. Submits a responsive and “reasonable” bid; and
- 1B. Submits a Section 3 Business Certification form reporting the bidder **IS** a qualified Section 3 Business Concern; and
- 1C. Submits the Section 3 Resident Certification form to support the claim of a qualified Section 3 Business Concern.

OR

Second Bid Preference

- 2A. Submits a responsive and “reasonable” bid; and
- 2B. Submits a Section 3 Business Certification form reporting the bidder **IS NOT** a qualified Section 3 Business Concern; and
- 2C. Submits a written plan in the form of the Section 3 Economic Opportunity Plan to identify intent to achieve the employment, training and subcontracting opportunity goals; and
- 2D. Submits supporting documentation, prior to contract award, that demonstrates it has hired and/or subcontracted with qualified persons or businesses proposed in its written plan.

A bidder who submits no completed Section 3 Business Certification form and no supporting documents is not responsive to the Section 3 requirements of the Housing Development Act of 1968 (as amended), outlined above, and will receive no consideration for a bid preference.

A “reasonable” bid is within the Zone of Consideration (refer to the formula in the **Section 3 Bid Evaluation** form provided in the Appendices of the project Specifications).

If no bidders are responsive to the Section 3 bid preference opportunity, the contract may still be awarded to the lowest, responsive, responsible bidder, in accordance with the City of Torrance’s policies and procedures, the City of Torrance Ordinance Section 22.1.4, all of which are consistent with the California Public Contract Code. However, the minimum requirement of Section 3 (30% of aggregate new hires must be income qualified) applies. A contractor also must sign a Section 3 Commitment form and document all efforts made during construction to hire low-income residents within the project area that would fill employment opportunities created during construction.

This project is also utilizing Federal Transit Administration (FTA) Section 5307 grant funds. Therefore, all federal requirements pertaining to this project such as Buy America, Anti-Lobbying, the Brooks Act, Debarment and the Disadvantaged Business Enterprise (DBE) are enforced. For more information about these federal regulations, please see the Mandatory FTA Clauses section of this document.

In the procurement of supplies, equipment, construction, and services by sub-recipients, the conflict of interest provisions in 24 CFR 85.36, OMB Circular A-110, and 24 CFR 570.611, respectively, shall apply. No employee, officer or agent of the sub-recipient shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

The City of Torrance hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation.

This contract is subject to compliance monitoring and enforcement by the DIR. Because this project has a bid opening date of March 1, 2015 or later, any contractor and any subcontractor must register with the DIR in order to submit a bid and be awarded a contract. Also refer to Special Provisions Section 7-2.6 of this document. (SB854)

The U.S. Department of Transportation (DOT) provides a toll-free "hotline" service to report bid rigging activities. Bid rigging activities can be reported Mondays through Fridays, between 8:00 a.m. and 5:00 p.m., Eastern Time, Telephone No. 1-800-424-9071. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report these activities. The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

By order of the City Council of the City of Torrance, California.

For further information, please contact Steve Finton, Engineering Manager in the Public Works Department at (310) 618-6260 or via the main office at (310) 781-6900.